

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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COLETTE CUNNINGHAM,

Plaintiff,

-against-

THE CITY OF NEW YORK; NYPD OFFICER PEDRO  
LOPEZ; NYPD SERGEANT SOHEIL SOFIZADA; AND  
NYPD OFFICER AALIYAH CARD,

Defendants.  
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**STIPULATION AND  
ORDER OF  
SETTLEMENT OF  
ATTORNEY’S FEES,  
EXPENSES, AND COSTS**

22-CV-588 (LDH) (SJB)

**WHEREAS**, plaintiff Colette Cunningham commenced this action by filing a complaint on or about February 1, 2022, alleging that defendants City of New York, Officer Pedro Lopez, Sergeant Suhail Sofizada, and Officer Aaliyah Card violated plaintiff’s federal civil and state common law rights; and

**WHEREAS**, defendants City of New York, Officer Pedro Lopez, Sergeant Suhail Sofizada, and Officer Aaliyah Card served plaintiff with an Offer of Judgment pursuant to Fed. R. Civ. P. 68 on August 24, 2023; and

**WHEREAS**, plaintiff accepted that Rule 68 Offer of Judgment on September 1, 2023; and

**WHEREAS**, all defendants deny any and all liability arising out of plaintiff’s allegations; and

**WHEREAS**, plaintiff’s counsel represents that plaintiff has assigned all of their rights to attorneys’ fees, expenses, and costs to their counsel, Cohen & Green P.L.L.C.; and

**WHEREAS**, counsel for defendants City of New York, Officer Pedro Lopez, Sergeant Suhail Sofizada, and Officer Aaliyah Card and counsel for plaintiff now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiff's counsel, Cohen & Green P.L.L.C., the total sum of Thirty-Nine Thousand Five Hundred (\$39,500.00) Dollars in full satisfaction of plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for the payment of Thirty-Nine Thousand Five Hundred (\$39,500.00) Dollars, counsel for plaintiff agrees to release and discharge defendants City of New York, Officer Lopez, Sergeant Sofizada and Officer Card; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time.


3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not

be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants City of New York, Officer Pedro Lopez, Sergeant Suhail Sofizada, and Officer Aaliyah Card and counsels for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

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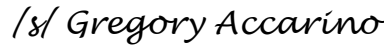
Cohen & Green P.L.L.C.  
*Attorneys for Plaintiff*  
1639 Centre Street, Suite 216  
Ridgewood, New York 11385  
(929) 888-9650

By:   
Remy Green  
*Attorneys for Plaintiff*

GIDEON ORION OLIVER  
*Attorney for Plaintiff*  
277 Broadway, Suite 1501  
New York, New York 10007  
(646) 263-3495

By:   
Gideon Orion Oliver  
*Attorney for Plaintiff*

HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants City of New York,  
Lopez, Sofizada, and Card*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By:   
Gregory Accarino  
*Senior Counsel*

Kaishian & Mortazavi LLC  
*Attorney for Plaintiff*  
55 Washington Street, Suite 508  
Brooklyn, New York 11201  
(347) 662-2421

By:   
Maryanne K. Kaishian  
*Attorney for Plaintiff*

SO ORDERED:

Dated: New York, New York  
\_\_\_\_\_, 2023

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HON. LASHANN DEARCY HALL  
UNITED STATES DISTRICT JUDGE